

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

BRANDON BANKS, et al.,

Plaintiffs,

v.

NISSAN NORTH AMERICA, INC.,

Defendant.

No. C 11-2022 PJH

**ORDER RE CHAMBERS COPIES**

PLEASE TAKE NOTICE that the chambers copies of the declarations of Donald Margolis, Ph.D and Hirlye R. "Ryan" Lutz, III in support of plaintiffs' motion for class certification were submitted in a format that is not usable by the court.

The chambers copies are not usable because they

- ☐ consist of a stack of loose paper wrapped with a rubber band;
- ☒ consist of stacks of loose paper;
- ☐ are too thick to permit secure fastening with a staple, and are fastened with a brad-type fastener that is too short for the thickness of the document;
- ☒ have no tabs for the exhibits;
- ☐ include exhibits that are illegible;
- ☐ include exhibits that are unreadable because the print is too small;
- ☐ include text and/or footnotes in a font smaller than 12 point;
- ☐ include portions or exhibits that are redacted because the submitting party has requested leave to file those portions under seal; or

1        ☒ are not usable for another reason – the unredacted chambers copies do not  
2 “highlight[] or clearly note[]” the portions to be sealed, as required by Local Rule 79-5(d)(2).


3        In addition, plaintiffs seek the sealing of portions of its motion for class certification  
4 (Dkt. 80), but the unredacted chambers copy does not “highlight[] or clearly note[]” the  
5 portions to be sealed, as required by Local Rule 79-5(d)(2). Also, plaintiffs have not  
6 submitted chambers copies of the following declarations (and accompanying exhibits)  
7 supporting the motion for class certification: F. Jerome Tapley (Dkt. 80-1 and 80-2),  
8 Michael F. Ram (Dkt. 80-3 and 80-4), Kirk J. Wolden (Dkt. 80-5), Brandon Banks (Dkt. 80-  
9 6), Erin Banks (Dkt. 80-7), David Soloway (Dkt. 80-8), Jessica Soloway (Dkt. 80-9), and  
10 Richard Greenspan (Dkt. 80-10).

11        Finally, plaintiffs have not submitted a chambers copy of their motion for leave to file  
12 a fourth amended complaint (Dkt. 88) or the accompanying Lutz declaration and exhibits.

13        No later than **4:00 pm** on **October 22, 2013**, plaintiffs shall submit chambers copies  
14 in a format that is usable by the court.

15        **IT IS SO ORDERED.**

16        Dated: October 21, 2013

  
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PHYLLIS J. HAMILTON  
United States District Judge